In the Supreme Court of the United States

OCTOBER TERM, 1950

No. 272

RICHARD MORFORD, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

On April 10, 1950, this Court reversed petitioner's conviction under R. S. § 102, 2 U. S. C. 192, for refusing to testify and produce certain records before the Committee on Un-American Activities of the House of Representatives on the sole ground that the District Court denied him an opportunity "to interrogate prospective government employee jurors upon *voir dire* examination with specific reference to the possible influence of the 'Loyalty Order,' Executive Order No. 9835, on their ability to render a just and impartial verdict." *Morford* v. *United States,* 339 U. S. 258. Petitioner was retried before the court, a jury having been waived (R. 140). He